

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6087**

**BILL NUMBER:** SB 271

**NOTE PREPARED:** May 9, 2007

**BILL AMENDED:** Mar 20, 2007

**SUBJECT:** Next of Kin Control of Bodies in Murder Cases.

**FIRST AUTHOR:** Sen. Sipes

**FIRST SPONSOR:** Rep. L. Lawson

**BILL STATUS:** Enrolled

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill has the following provisions:

- A. It provides that if a coroner, after consultation with law enforcement, determines that there is a reasonable suspicion that a person committed murder, voluntary manslaughter, or another criminal act resulting in the death of the decedent, the person is prohibited from making certain determinations concerning the remains of the decedent. It excludes certain criminal acts involving the operation of a motor vehicle.
- B. It requires the coroner, in consultation with law enforcement, to notify a cemetery owner, a crematory authority, or a seller of prepaid funeral and burial services that the person is barred from making the determinations concerning the remains of the decedent. It specifies the order of priority among individuals, including an individual who possesses a health care power of attorney if the power of attorney allows the individual to make plans for the disposition of the decedent's body, who are permitted to authorize the interment, entombment, or inurnment of the body or cremated remains of a deceased human.
- C. It provides that, when a coroner investigates a death, the coroner may hold the remains of the decedent until the investigation is concluded. It permits the parent or adult child of a decedent to receive a full autopsy report and, with certain exceptions, prohibits the parent or adult child from publicly disclosing the contents of the full autopsy report.

(The introduced version of this bill was prepared by the Interim Study Committee on Criminal Justice Matters.)

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:** The notification requirements for the Indiana State Police (ISP) should be minimal if ISP is investigating a death and is required to consult with the coroner of a county where a death occurred.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** The notification requirements for the local law enforcement agency should be **minimal** if the agency is investigating a death and is required to consult with the coroner of a county where a death occurred. Under current law (IC 36-2-14-6) the coroner is required to notify a law enforcement agency when a death occurs from violence, by casualty, if the person who died was in apparently in good health and has died in an apparently suspicious, unusual or unnatural manner or found dead. The law enforcement agency is required to assist the coroner in conducting an investigation of how the person died and a medical investigation of the cause of death.

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana State Police.

**Local Agencies Affected:** County coroner, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852.